

# EXHIBIT A

## REARDON, JOYCE & AKERSON, P.C.

EDWARD P. REARDON (Retired)  
AUSTIN M. JOYCE  
MICHAEL J. AKERSON  
JOHN K. VIGLIOTTI  
ANDREW J. GAMBACCINI

ATTORNEYS AT LAW  
(A PROFESSIONAL CORPORATION)  
FAX: (508) 754-7220

397 GROVE STREET  
WORCESTER, MASSACHUSETTS  
01605  
(508) 754-7285

November 14, 2005

### VIA FACSIMILE AND FIRST CLASS MAIL

James S. Dilday, Esq.  
Grayer & Dilday  
27 School Street, Suite 400  
Boston, MA 02108

**RE: Pechner-James and Fernandez v. City of Revere, et al.**

Dear Attorney Dilday:

The December 6, 2005 deadline for producing the medical documents that were subject to the Defendants' Motion to Compel, which was heard and allowed by the court on October 6, 2005, is quickly approaching. I wanted to make sure you understand which records we are claiming were not produced pursuant to the Defendants' Request for Production of Documents and were the subject of the motion to compel. In order to accomplish this I have put together a detailed list to avoid any confusion over the issue.

The following is a list of the records that have not been provided for Sonia Fernandez:

1. Chelsea Health Center: Ms. Fernandez reported to her therapist, Nancy Aronoff, on July 3, 1997, that she had received treatment about 6 years earlier at Chelsea Health Center's mental health department. We do not have these records.
2. Nancy Aronoff, LICSW: Ms. Aronoff reported in her social service record dated June 25, 1997, that Ms. Fernandez was seen in Urgent Care on June 24, 1997, having a panic attack. I am not sure which facility she is referring to, but we do not have this record. On November 19, 1997, Ms. Aronoff writes that Ms. Fernandez was treated in Urgent Care two weeks ago and received Valium. We do not have these records.
3. Revere Counseling Center: Ms. Aronoff references discussing Ms. Fernandez's dealings with Revere Counseling Center pertaining to her son. Later records suggest that this is where Ms. Fernandez's son attends school, but it is unclear whether they also attended any therapy at this location.

4. Darlene Millman, M.D.: In her Progress Note dated February 12, 2001, Dr. Millman notes that the patient was seen on July 11, 2000 for an initial appointment. We do not have the records from this appointment. We only have two records from Dr. Millman, the above-mentioned Progress Note and a "To Whom It May Concern Letter" dated March 23, 2001. We are requesting any further records from this provider.
5. Jason Merola, M.D.: In his letter to Mayor Ambrosino dated March 18, 2001, Dr. Millman states that Ms. Fernandez has been under his and Darlene Millman's care over the last year for symptoms of weight loss, depression and anxiety. We only have this record and a later letter to the Mayor dated March 29, 2001. No copies of treatment / therapy notes or office visit records have been produced.
6. Christopher Harmon, M.D.: Dr. Harmon reports that he has been treating Ms. Fernandez for PTSD and Panic Disorder since April 14, 2003. The only other record from this provider is a letter to Chief Reardon dated August 27, 2003. We do not have copies of any of his therapy records or office notes detailing Ms. Fernandez's treatment.
7. Blair Manning / Elsie Parrilla, LICSW: In an unsigned Beth Israel Deaconess Medical Center Hospital Progress Note dated September 29, 2003, reference is made to Ms. Fernandez seeing a therapist, Blair Manning, every two weeks. It does not appear that we have any of Mr. Manning's records. In addition, Dr. Millman's letters dated February 12, 2001, and March 23, 2001, also reference a referral to a social worker (Elsie Parrilla, LICSW) as does Dr. Merola's letter dated March 18, 2001 (unspecified social worker). The latest social work record we have is of an appointment with J. Skolnick, LICSW on September 22, 1998. We are requesting any further records of therapy.
8. Peptic Ulcer Disease: We do not have records regarding this condition. The records refer to it only in terms of her medical history.
9. Primary Care Physicians: It does not appear that we have records from Ms. Fernandez's PCPs. In the records, her PCP's are listed as 1) Ursula Kelly (Kelley) and 2) Dr. Marcus.
10. 1999 Injury: An Occupational Health Center Progress Note dated October 24, 2002, references a prior injury wherein the patient was hit by a car and spun around. We have no records relative to this injury.
11. Dr. Stein: Both Beth Israel Deaconess Medical Center Progress Note (unsigned) dated September 29, 2003 and James Geurrini's Office Note dated October 9, 2003, reference a referral to neurologist, Dr. Stein. This referral was made in connection with Ms. Fernandez's complaints of "restless leg syndrome" and balance issues. We are requesting all records from Dr. Stein.

12. John Bures: In a Meditrol, Inc. letter dated June 18, 2003, reference is made to an evaluation of Ms. Fernandez by John Bures at Occupational Health and Rehabilitation, Inc. on January 24, 2003. We do not have a copy of Dr. Bures' report.
13. Hearing Loss / Lead Poisoning: We do not have any records in the file which specifically detail the extent of Ms. Fernandez's lead poisoning issues. Several references were made to chronic lead poisoning and hearing loss as part of her medical history. We are requesting her records regarding this topic.
14. We have not received all of the records submitted to PERAC for Ms. Fernandez's retirement.

The following is a list of records pertaining to Terri Pechner-James that have not been produced:

1. Eric J. Keroack, M.D., FACOG: Ms. Pechner-James was treated by Dr. Keroack in connection with her alleged psychological injuries. Although copies of Dr. Keroack's reports were provided, no office notes or records generated during her treatment sessions were provided. Dr. Keroack stated in his letter dated January 22, 2003, that he began treating the patient on March 22, 2001.
2. Susan P. Rudman, Ed.D.: Dr. Rudman's letter dated January 23, 2003, provides that she has treated Ms. Pechner-James since March 21, 2001. The above-mentioned letter was, however, the only record produced from this provider. No copies of therapy or office notes were provided.
3. Dr. Barry. Stoneham: Dr. Rudman's letter dated January 23, 2003, provides that Ms. Pechner-James was treated by Dr. Barry of Stoneham in 1999. No records regarding this provider have been produced.
4. Dr. Elizabeth Miller: The records provided indicate that this was Ms. Pechner-James PCP, but not records have been produced.
5. Additionally, George M. Dominiak, M.D.'s report prepared in conjunction with Ms. Pechner-James' application for Accidental Disability Retirement notes that Ms. Pechner-James has continued contact with her previous providers by phone weekly and, infrequently, in person. No records regarding these telephone communications have been provided. Nor have any records from providers outside of Massachusetts been produced.
6. There are notations in the records provided which indicate that Ms. Pechner-James received counseling through work. These records have not been produced.
7. Dr. Farrell (MGH/Boston): MGH/Ambulatory Care Division record dated July 21, 1998 indicates that Ms. Pechner-James received a GI evaluation from Dr.

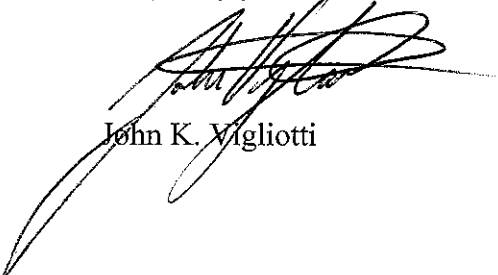
Farrell at MGH/Boston. It also indicates that she has had diarrhea symptoms since March [1998]. No records of this earlier GI evaluation have been provided.

8. George M. Dominiak, M.D.'s report (6/13/03) and Eric J. Keroack's report (1/22/03) indicate that Ms. Pechner-James has been diagnosed with hypothyroidism. Dr. Keroack's report also references a possible diagnosis of Grave's Disease. No records regarding these diagnoses have been produced.
9. MGH record dated August 6, 1998, indicates that Ms. Pechner-James has a prior history of an MVA with a rib fracture. No records regarding this prior injury have been produced.
10. In several MGH records from 1999, there are references to Ms. Pechner-James having abdominal pain and ovarian cyst(s). She was referred to gynecology. No gynecology records have been produced.
11. We have not received all of the records submitted to PERAC for Ms. Pechner-James' retirement.

Therefore, please ensure that you produce these records pursuant to the Court's order on the Defendants' Motion to Compel.

Should you have any questions or concerns please feel free to contact me at any time.

Very truly yours,



John K. Vigliotti

cc: Paul Capizzi, City Solicitor